

FINAL STATEMENT OF REASONS

1) The Update to the Initial Statement of Reasons

There are changes to the information contained in the initial statement of reasons. The initial statement of reasons is updated as provided below.

§77.05

A sentence is added to subdivision (b) to clarify when a commercial driver is eligible to the restricted licenses. The regulatory action specifies the types of driver license that are not eligible for a restricted license based on changes to federal and California law and that a downgrade to a class C may qualify an applicant for the restricted license.

§77.10

A word is changed in the last sentence from application to applicant that identifies the form section to be completed for the restriction.

§77.16

In subdivision (c) the term “purpose” should be replaced with the term “purposes” to match the terminology used in subdivision (b).

2) Imposition of Mandate on Local Agencies or School Districts

The department's regulatory action amending Sections 77.05, 77.10, 77.15, 77.16 and 77.17 in Article 2.3, Chapter 1, Division 1, Title 13, California Code of Regulations, does not impose any mandate on local agencies or school districts and imposes (1) no cost or savings to any state agency, (2) no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, (3) no other nondiscretionary cost or savings to local agencies, and (4) no costs or savings in federal funding to the state. No studies or data were relied upon to make this determination.

3) Summary of Comments Received and Department Response

The proposal was noticed on September 16, 2005, and made available to the public from September 16, 2005 through October 31, 2005. No comments were received on the regulatory proposal.

4) Form Incorporated by Reference

Subsection 77.10 specifies the Application for Non-Commercial Restricted Driver License for Financial Responsibility Actions (DL691 REV. 6/2005), which must be completed by the driver applying for the restricted license. This form is being incorporated by reference in the regulations since it is impractical and cumbersome to publish in the California Code of Regulations a form that will only be used for a specified purpose.

5) Determination of Alternatives

No reasonable alternative considered by the department, or that has otherwise been identified and brought to the attention of the department, would be more effective in carrying out the purpose for which these regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed regulations. During the rulemaking process, no alternative that would lessen the adverse economic impact on small business was submitted.